

4 objections or when a petition involves the taking of property under
 5 the right of eminent domain the commission shall set the matter for
 6 hearing and fix a time and place therefor. Said hearing shall be not
 7 less than thirty days from the date of last publication and at the
 8 offices of the commission before which said matter is pending, unless
 9 a different place is specified in the notice thereof. Written notice of
 10 the time and place of such hearing shall be served by the commission,
 11 by ordinary mail, on the applicant, and those having filed objections.
 12 If no objections are filed as hereinbefore provided and the petition
 13 does not involve the taking of property under the right of eminent
 14 domain the commission may grant a franchise without hearing there-
 15 on, however, nothing herein shall be construed as prohibiting the
 16 commission from conducting a hearing if it deems it necessary.

17 Where a petition seeks the use of the right of eminent domain over
 18 specific parcels of real property, the commission shall prescribe the
 19 notice to be served upon the owners of record and parties in posses-
 20 sion of said property over which the use of the right of eminent
 21 domain is sought.

22 When the commission grants a franchise to any person, company,
 23 or corporation for the construction, erection, maintenance, and opera-
 24 tion of transmission lines, wires, and cables for the transmission of
 25 electricity, such person, company, or corporation shall be vested with
 26 the power of condemnation to such extent as the commission may
 27 approve and find necessary for public use.

Approved February 19, 1971.

CHAPTER 239

PIPE LINES DEFINED

H. F. 23

AN ACT relating to the definition of pipeline and pipeline company.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety point one (490.1), Code
 2 1971, is amended as follows:

3 490.1 **Purpose and policy.** It is hereby declared to be the purpose
 4 and policy of the legislature in enacting this law to confer upon the
 5 commerce commission the power and authority to supervise the trans-
 6 portation or transmission of [gas, gasoline, oils or motor fuels and/
 7 or inflammable fluid] *any solid, liquid, or gaseous substance, except*
 8 *water*, within or through this state by [pipe line] *pipeline*, whether
 9 specifically mentioned herein or not, and the power and authority to
 10 supervise the underground storage of gas, so as to protect the safety
 11 and welfare of the public in [their] *its* use of any public [and/or] *or*
 12 private highways, grounds, waters and streams of any kind in this
 13 state.

1 SEC. 2. Section four hundred ninety point two (490.2), Code 1971,
 2 is amended as follows:

3 490.2 **Definitions.** The term ["pipe line"] "*pipeline*" insofar as

4 this chapter is concerned shall include and mean any pipe, pipes or
 5 [pipe lines] *pipelines* used for the transportation or transmission of
 6 [gas, gasoline, oils or motor fuels and/or inflammable fluids] *any*
 7 *solid, liquid, or gaseous substance, except water*, within or through
 8 this state.

9 The term ["pipe line"] "*pipeline* company", insofar as this chapter
 10 is concerned shall include and mean any person, firm, copartnership,
 11 association, corporation or syndicate engaged in or organized for the
 12 purpose of owning, operating, or controlling [pipe lines] *pipelines*
 13 for the transportation or transmission of [gas, gasoline, oils or motor
 14 fuels and/or inflammable fluids] *any solid, liquid, or gaseous sub-*
 15 *stance, except water*, within or through this state.

16 The term "commission" when used in this chapter means the state
 17 commerce commission.

18 The term "underground storage" insofar as this chapter is con-
 19 cerned shall include and mean storage of gas in a subsurface stratum
 20 or formation of the earth.

1 SEC. 3. Section four hundred ninety point five (490.5), unnum-
 2 bered paragraph five (5), Code 1971, is amended as follows:

3 The person, company, or corporation seeking the permit shall give
 4 notice of the informational meeting to each person, company, or cor-
 5 poration determined to be the landowner affected by the proposed
 6 project and any person, company or corporation in possession of or
 7 residing on the property. For the purposes of this section, "land-
 8 owner" means a person, company, or corporation listed on the tax
 9 assessment rolls as responsible for the payment of real estate taxes
 10 imposed on the property and ["pipe line"] "*pipeline*" means any line
 11 transporting [gas, gasoline, oils, motor fuels, or inflammable fluids]
 12 *any solid, liquid, or gaseous substance, except water*, under pressure
 13 in excess of one hundred fifty pounds per square inch and extending
 14 a distance of not less than five miles or future anticipated extension
 15 of an overall distance of five miles.

1 SEC. 4. Section four hundred ninety point six (490.6), subsection
 2 six (6), Code 1971, is amended as follows:

3 6. The maximum and normal operating pressure under which it
 4 is proposed to transport [gas, gasoline, oils, or motor fuels and/or
 5 inflammable fluids] *any solid, liquid, or gaseous substance, except*
 6 *water*.

Approved May 28, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.

CHAPTER 240

ORGANIZATION OF CORPORATIONS

S. F. 312

AN ACT relating to the organization of corporations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety-one point one (491.1),
 2 Code 1971, is amended as follows:

3 491.1 Who may incorporate. Any number of persons may become